IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

WP(C).No. 4889 of 2007(F)

PETITIONER:

K.P.LUKA, S/O.PATHROSE,
AGED 60 YEARS, KUNNATHKALAYATHOLIL,
MARANGATTUPALLY KARA, ELAYACKADU VILLAGE,
MEENACHIL TALUK, KOTTAYAM DISTRICT.

BY ADV. SRI.BIJU ABRAHAM

RESPONDENTS:
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1. **THE SALE TAX OFFICER,**
   COMMERCIAL TAX OFFICE, PALA.

2. **DEPUTY COMMISSIONER (APPEALS),**
   COMMERCIAL TAXES, KOLLAM.

3. **THE DEPUTY TAHSILDAR,**
   REVENUE RECOVERY, PALA.

4. **THE VILLAGE OFFICER, ELAYACKADU VILLAGE,**
   MEENACHIL TALUK, KOTTAYAM DISTRICT.

BY SR.GOVERNMENT PLEADER SRI. MOHAMMED RAFIQ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR,J.

WP(C)NO.4889 OF 2007-F

Judgment

The petitioner has preferred Ext.P6 appeal against Ext.P3 assessment order. Thereafter, this Writ Petition is filed seeking various reliefs. But, the main relief sought at the time of hearing is for a direction to the appellate authority to hear and dispose of the appeal expeditiously. Ext.P6 has been filed only on 02.02.2007. This Writ Petition is filed on 12.02.2007. It is too early to accuse the appellate authority that it has failed to discharge its duty to hear and dispose of the appeal expeditiously. Therefore, no writ can be issued as prayed for by the petitioner. But, the appellate authority will endeavour to dispose of the appeal expeditiously without doing violence to the priority of other cases. The petitioner points out that the appellate authority has passed an illegal order on its stay application. But the stay order is not challenged in this Writ Petition. So, the contention of the petitioner against that order is kept open. If so advised, he may work out his remedy against it.

The Writ Petition is disposed of as above.

28.02.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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